

Entered - 08-21-01 - sb
CL 01L0526 - GWENDOLYN BURNS

CLAIM OF: **AMICA MUTUAL INSURANCE COMPANY**
as subrogee of Jacquelyn Richards
3700 Crestwood Parkway, NW
Suite 300
Duluth, Georgia 30096-8234

01- R -1425

For vehicular damages alleged to have been sustained as a result of an automobile accident on July 31, 2001 at 955 South River Industrial Boulevard.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **AMICA MUTUAL INSURANCE COMPANY as subrogee of Jacquelyn Richards** the sum of **\$1,700.49** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on July 31, 2001 at 955 South River Industrial Boulevard as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0526

Date: August 24, 2001

Claimant /Victim JACQUELYN RICHARDS
BY: (Atty) (Ins. Co.) AMICA MUTUAL INSURANCE COMPANY
Address: 3700 Crestwood Parkway, NW, Suite 300, Duluth, Georgia 30096-8234
Subrogation: X Claim for Property damage \$ 1,700.49 Bodily Injury \$
Date of Notice: 8/20/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 7/31/01 Place: 955 South River Industrial Blvd
Department PUBLIC WORKS Division Waste Water Services
Employee involved Herbert Freeman Disciplinary Action: Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was backed into by a city vehicle.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,700.49 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager:  Concur/date 08-31-01
Committee Action: Council Action

Amica Mutual Insurance Company
Amica Life Insurance Company
Amica General Agency, Inc.

ATLANTA REGIONAL OFFICE
3,000 Crestwood Parkway NW, Suite 300
Duluth, Georgia 30096-8234
Mail: PO Box 956609, Duluth, GA 30095-9511

AUTO HOME LIFE

[Handwritten signature]
08/20/01
August 16, 2001 *[Handwritten signature]*

Ms. Gwen Burn, Investigator
City of Atlanta, Claims Division
68 Mitchell Street
Suite 4100, 14th Floor
Atlanta, Ga 30335-0332

ENTERED- 8-21-01 - SB
01L0526 - ALEXIS HOLMES

Our File Number: L31200103092D
Our Insured: Jacquelyn Richards
Date of Loss: July 31, 2001
Amount of Loss: \$1,700.49

Dear Ms. Burn:

We are subrogated to the rights of our insured(s) due to the payment of a collision loss.

The amount of damage to our insured's vehicle is shown above. This amount includes both our loss and our insured's deductible.

Enclosed are copies of our supporting papers.

Your prompt action regarding payment would be appreciated.

Very truly yours,

[Handwritten signature of Laurie A. Taronji]

Laurie A. Taronji
Claims Department
Amica Mutual Insurance Company
ltaronji@amica.com

*31F4

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0526

\$ 1,700.49

IN CONSIDERATION of the sum of ONE THOUSAND SEVEN HUNDRED AND 49/100
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Herbert Freeman, from any and
all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for
or on account of anything that has heretofore occurred, and particularly for or on account of a automobile accident

which occurred on or about the 31st day of July, 2001
at or near 955 South River Industrial Blvd.

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this August day of 28, 2001

Ramie Jaromir (LS)
AMICA Mutual Insurance Company as subrogee of
Jacquelyn Richards

_____(LS)

The above release was read and explained to, and signed by the said _____

_____ in our presence on the date above written.

Marlene Cook

WITNESSES

01- -1425

11-27-01 AUG 27 2001

ATLANTA
AUG 27 2001